

42. The method of claim 41, wherein the forming the discontinuities includes forming in the window portion at least one of: solid particles, fluids, gases and immiscible polymers.
43. The method of claim 41, including forming the second wear rate to be 5% to 25% greater than the third wear rate.
44. A method of polishing a wafer, comprising:  
providing a polishing pad having a surface, with a window portion formed therein and having a surface flush with the pad surface, wherein the window portion has a wear rate designed to be equal to or greater than a wear rate of the polishing pad; and  
polishing the wafer with the polishing pad while removing material from the pad surface and the window portion at respective removal rates that allow for the window portion surface and the polishing pad surface to remain flush during polishing.

#### REMARKS


Applicant believes new claims 33-44 better capture the invention and will greatly facilitate prosecution of the application. Applicant therefore respectfully requests that the new claims (33-44) be added to the application and examined, and the old claims (1-32) canceled.

The Examiner is encouraged to telephone Joseph E. Gortych, Applicants' Attorney at 802-655-7222, if he has any questions regarding this Preliminary Amendment or the accompanying Response to Restriction Requirement.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

2/11/03  
Date

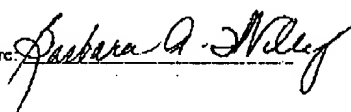
  
\_\_\_\_\_  
Joseph E. Gortych  
Patent Attorney  
Reg. No. 41,791

Joseph E. Gortych  
Patent Attorney  
Rodel Holdings, Inc.  
1105 North Market Street  
Suite 1300  
Wilmington, DE 19899

I hereby certify that this correspondence is submitted via facsimile transmission to TC 3700 at 703 872-9302 on the date indicated below.

Date of Deposit: February 11, 2003

Typed Name: Barbara A. Wiley

Signature:   
\_\_\_\_\_